

Appln No. 10/760,186  
Amdt. Dated January 30, 2006  
Response to Office Action of November 14, 2005

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### **REMARKS/ARGUMENTS**

Applicant thanks Examiner for the detailed Office Action dated November 14, 2005. In response to the issues raised, the Applicant offers the following submissions and amendments.

#### **Amendments**

The description has been amended at page 9 to correct the typographical error identified by the Examiner.

Claim 1 has been amended to clarify that the mating features on the two components of the housing provide an initial threshold force only. Once the threshold is met, relative movement of the plunger and base requires much less force. Claim 5 has likewise been clarified, as well as amended to address the antecedent errors in relation to 'said portions'. The action of the mating features on each component of the refill housing is described in detail throughout the specification and illustrated in Figures 35 to 42. Accordingly, the amendments do not add any new matter.

#### **Specification**

As discussed above, the amendments correct the typographical and claim construction problems identified by the Examiner.

#### **35 U.S.C. §102 - Claims 1, 3 and 4**

Claims 1, 3 and 4 stand rejected for lack of novelty in light of the disclosure in US 6,120,138 to Xiao et al.

Claim 1 has been amended to clarify a key distinction between the present invention and the cited reference. In particular, the ability of the mating features on the first and second portions to lock the two together until a threshold force is applied to disengage the features. Once disengaged, relative movement between the portions requires far less force. This arrangement guards against inadvertent compression of the plunger into the base during transport and handling. However, once the initial threshold force is applied, the refilling process is unhindered by the mating features. Xiao does teach or suggest any features for creating an initial threshold force that needs to be overcome before relative movement can continue using a lesser force. The threaded engagement between the plunger shaft and the cap is constant.

In light of the above, US 6,120,138 to Xiao et al does not anticipate claims 1, 3 and 4.

#### **35 U.S.C. §103 - Claims 2 and 5**

Claims 2 and 5 stand rejected as obvious in light of the disclosure in US 6,120,138 to Xiao et al. in view of US 2004/0055661 to Yuen.

As discussed above, Xiao fails to teach or suggest any threshold force necessary to initiate relative movement between the two components of the refill housing. Yuen also fails to teach this feature. Both claim 2 (by virtue of its appendence to claim 1) and amended claim 5 incorporate this feature. Therefore, and the combined disclosures of the cited references do not teach all the elements of claim 2 or claim 5, both claims are non-obvious.

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It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration of the application is courteously solicited.

Very respectfully,  
Applicant:



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